

ORIGINAL

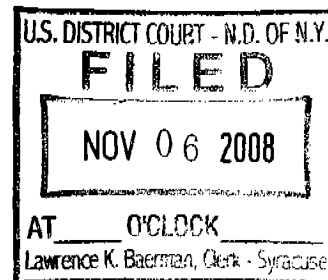
**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

In the Matter of the Seizure of

**ONE (1) 2004 MERCEDES BENZ S 430,
NEW YORK REGISTRATION DNY1538,
VIN #WDBNG83J74A388010, REGISTERED IN
THE NAME OF MICHAEL E. AUSTIN**

Case No. 08-MJ-

468(DEP)



SEIZURE WARRANT

**TO: SA ANTHONY FITZGERALD
And any Authorized Officer of the United States**

An Affidavit having been made before me by Special Agent Fitzgerald who has reason to believe that in the Northern District of New York there is now certain property which is subject to forfeiture to the United States, namely: one (1) 2004 Mercedes Benz S430, VIN #WDBNG83J74A388010 registered in the name of Michael E. Austin.

I am satisfied that the Affidavit and any recorded testimony establish probable cause to believe that the property so described is subject to seizure and that grounds exist for the issuance of this seizure warrant.

YOU ARE HEREBY COMMANDED to seize within 10 days the property specified, serving this warrant and making the seizure (the in daytime - 6:00 A.M. to 10:00 P.M.) ~~(at any time in the day or night as I find reasonable cause has been established)~~, leaving a copy of this warrant and receipt for the property seized, and prepare a written inventory of the property seized and promptly return this warrant to any United States District Judge or United States Magistrate Judge, Northern District of New York, as required law.

October 28, 2008 @ 3:58 p.m. at
Date and Time Issued

Hon. David E. Peebles
United States Magistrate Judge
Name and Title of Judicial Officer

Syracuse, New York
City and State

David E. Miller
Signature of Judicial Officer

RETURN

Case No. 08-MJ-

DATE WARRANT RECEIVED: 10/28/2008

DATE AND TIME WARRANT EXECUTED: 10/29/2008, 7:00am

COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH: 111 Hawthorne Ave.,
White, NY

INVENTORY MADE IN THE PRESENCE OF:


INVENTORY OF PROPERTY SEIZED PURSUANT TO THE WARRANT: 2004 Mercedes Benz
5430, NY tag DNY1538
1 Motorola cell phone
seized from Mercedes
Benz


SPECIAL AGENT ANTHONY R. FITZGERALD
FEDERAL BUREAU OF INVESTIGATION

CERTIFICATION

I swear that this inventory is a true and detailed account of the property seized by me on the warrant.

Subscribed, sworn to, and returned before me this date.


HON. DAVID E. PEEBLES
U.S. MAGISTRATE JUDGE

11/6/08
DATE